

REMARKS

This Amendment is in response to the Final Office Action mailed 09/01/2006. Applicant has filed a Request for Continued Examination to have the Office withdraw the finality of the Office Action and have this submission entered and considered. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Claim Objections

The Examiner objects to claim 8 under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim because independent claim 1 has been amended to include all the limitations of claim 8, and claim 8 no longer further limits claim 1.

Applicant has cancelled claim 8 and respectfully requests that the Examiner withdraw the objection to claim 8.

Rejection Under 35 U.S.C. § 112

4. The Examiner rejects claim 10 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 10, the Examiner suggests that the recitation of trademarks such as Windows® should not be included in claims.

Applicant has amended claim 10 to remove the recitation of trademarks such as Windows® and respectfully requests that the Examiner withdraw the rejection of claim 10 under 35 U.S.C. § 112, second paragraph.

Rejection Under 35 U.S.C. § 103

10. The Examiner rejects claims 1-9 and 11-47 under 35 U.S.C. § 103(a) as being unpatentable over England et al. (6,938,164) in view of Bruce Schneier's Applied Cryptography (Second Edition).

As per independent claim 1, applicant has amended the claim to include the element of --signing the hash digest with a hash signing engine having a secure channel to access the hash digest--. This is similar to elements of dependent claims 28 and 37. The Examiner rejected claims 28 and 37 by asserting that something that can perform a digest hashing function can be considered a digest signing engine and citing col. 5 lines 49-65 of England as teaching computing a cryptographic hash of the region's contents. Applicant respectfully disagrees. Schneier, pages 38-39, teaches that a digest hashing function provides a short proxy for a document and that signing authenticates a document or its proxy, the digest hash. As taught by Schneier, a hash function and a signing function are entirely different and distinct cryptographic operations. Neither can be considered as the equivalent of the other. Nothing in England teaches signing of the cryptographic hash of the region's contents. Further nothing in England teaches

signing using a hash signing engine having a secure channel to access the cryptographic hash of the region's contents.

As per claim 2, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 3, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 4, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 5, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 6, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 7, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 8, applicant has cancelled the claim.

As per claim 9, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 11, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per independent claim 12, applicant has amended the claim in a manner similar to the amendment of claim 1 and traverses the rejection on the same basis as the rejection of claim 1 is traversed.

As per claim 13, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 14, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 15, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 16, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 17, applicant has cancelled the claim.

As per claim 18, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 19, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 20, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per independent claim 21, applicant has amended the claim in a manner similar to the amendment of claim 1 and traverses the rejection on the same basis as the rejection of claim 1 is traversed.

As per claim 22, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 23, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 24, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 25, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 26, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 27, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 28, applicant has cancelled the claim.

As per claim 29, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 30, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 31, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per independent claim 32, applicant has amended the claim in a manner similar to the amendment of claim 1 and traverses the rejection on the same basis as the rejection of claim 1 is traversed.

As per claim 33, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 34, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 35, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 36, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 37, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 38, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per independent claim 39, applicant has amended the claim in a manner similar to the amendment of claim 1 and traverses the rejection on the same basis as the rejection of claim 1 is traversed.

As per claim 40, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 41, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 42, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 43, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 44, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 45, applicant has cancelled the claim.

As per claim 46, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

As per claim 47, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-9 and 11-47 under 35 U.S.C. § 103(a) as being unpatentable over England in view of Schneier.

11. The Examiner rejects claim 10 under 35 U.S.C. § 103(a) as being unpatentable over '164 and Schneier as applied above, and further in view of ATPM - Review: Virtual PC 4.0 (April 2001), by Gregory Tetrault.

As per claim 10, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

Applicant respectfully requests that the Examiner withdraw the rejection of claim 10 under 35 U.S.C. § 103(a) as being unpatentable over '164 and Schneier, and further in view of Tetrault.

Conclusion

Applicant reserves all rights with respect to the applicability of the doctrine of equivalents. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Authorization for Extension of Time, All Replies

Authorization is given to treat any concurrent or future reply, requiring a petition for an extension of time under 37 CFR 1.136(a) for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. If any other petition is necessary for consideration of this paper, it is hereby so petitioned. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such deposit account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 12-01-2006

By /James Henry/

James Henry
Reg. No. 41,064
Tel.: (714) 557-3800 (Pacific Coast)